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UNIVERSITY OF DACCA.

THE UNIVERSITY ACT

AND

STATUTES.

VII

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THE DACCA UNIVERSITY ACT, 1920.
(XVIII OF 1920).

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Act No. XVIII of 1920.

[PASSED BY THE INDIAN LEGISLATIVE COUNCIL.]

(Received the assent of the Governor-General on the 23rd March, 1920).

[The only sections of the Dacca University Act amended by the Repealing and Amending Act of 1920 are sections 45 and 46.]

[*As amended by the Repealing and Amending Act No. XXXI of 1920, by the Dacca University (Amendment) Act of 1925 (Bengal Act IV of 1925) and by the Dacca University (Amendment) Act, 1928, Bengal Act II of 1928.*]

An Act to establish and incorporate a unitary teaching and residential University at Dacca.

Whereas it is expedient to establish and incorporate a unitary teaching and residential University at Dacca; It is hereby enacted as follows: –

Short title and commencement

1 (1) This Act may be called the Dacca University Act, 1920

(2) It shall, save as otherwise expressly provided herein, come into force on such date as the Governor General in Council may, by notification in the Gazette of India, direct.

Definitions

2. In this Act, and in all Statutes made hereunder, unless there is anything repugnant in the subject or context,—

(a) "Hall" means a unit of residence for students of the University provided or maintained by the University;

(b) "Hostel" means a unit of residence for students of the University provided otherwise than by the University, and not maintained by the University but approved and licensed by the University in accordance with the provisions of this Act;

(c) "Local Government" means the Governor of Bengal in Council;

(d) "Provost" means the head of a Hall;

(e) "Registered graduates" means graduates registered under the provisions of this Act;

(f) "Statutes," "Ordinances" and "Regulations" mean, respectively, the Statutes, Ordinances and Regulations of the University for the time being in force;

(g) "Teachers" includes Professors, Readers, Lecturers and Assistant Lecturers;

(h) "University" means the University of Dacca; and

(i) "Warden" means the head of a Hostel.

The University.

The University.

3 (1) The first Chancellor and Vice-Chancellor of the University and the first members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of the University of Dacca.

(2) The University shall have perpetual succession and a Common Seal, and shall sue and be sued by the said name.

Powers of the University.

4. The University shall have the following powers, namely:—

(1) to provide for instruction in such branches of learning as the University may think fit, and to make provision for research and for the advancement and dissemination of knowledge,

(2) to hold examinations and to grant and confer degrees and other academic distinctions to and on persons who—

(a) shall have pursued a course of study provided by the University, or

(*b*) are teachers in educational institutions, under conditions laid down in the Ordinances and Regulations, and shall have passed the examinations of the University, under like conditions,

(3) to confer honorary degrees or other distinctions on approved persons in the manner laid down in the Statutes,

(4) to grant such diplomas to and to provide such lectures and instruction for persons, not being students of the University, as the University may determine,

(5) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine,

(6) to institute Professorships, Readerships, Lectureships and any other teaching posts required by the University, and to appoint persons to such Professorships, Readerships, Lectureships and posts,

(7) to institute and award Fellowships, Scholarships, Exhibitions and Prizes in accordance with the Statutes and the Regulations,

(8) to institute and maintain Halls for the residence of students of the University, and to approve and license Hostels maintained by other persons for the residence of such students,

(9) to demand and receive such fees as may be prescribed in the Ordinances,

(10) to supervise and control the residence and discipline of students of the University, and to make arrangements for promoting their health, and

(11) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University as a teaching and examining body, and to cultivate and promote arts, science and other branches of learning.

University open to all classes, castes and creeds.

5. The University shall be open to all persons of either sex and of whatever race, creed or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted thereto as a teacher or student, or to hold any office therein,or to graduate thereat, or to enjoy or exercise any privilege thereof, except where such test is specially prescribed by the Statutes, or, in respect of any perticular benefaction accepted by the University where such test is made a condition thereof, by any testamentary or other instrument creating such benefaction :

Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manrer prescribed by the Ordinances to those not unwilling to receive it by persons (whether teachers of the University or not) approved for that purpose by the Executive Council.

Teaching of the University

6. (1) All recognised teaching in connection with the University courses shall be conducted by the University, and shall include lecturing, work in the laboratories or workshops and other teaching conducted by the Professors, Readers, Lecturers and other teachers thereof in the manner provided by the Ordinances.

(2) The authorities responsible for organising such teaching shall be prescribed by the Statutes

(3) The courses and curricula shall be prescribed by the Ordinances and the Regulations

(4) Recognised teaching shall be supplemented by tutorial instruction given in accordance with the conditions provided by the Ordinances and Regulations

(5) It shall not be lawful for the University to conduct courses or maintain classes for the purpose of preparing students for admission to the University.

The Visitor.

The Visitor

7. (1) The Governor General shall be the Visitor of the University.

(2) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct of the University, its buildings, laboratories, equipment, and of any institutions associated with the University, and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the University. The Visitor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made, and the Uuiversity shall be entitled to be represented thereat.

(3) The Visitor may address the Chancellor with reference to the results of such inspection or inquiry, and the Chancellor shall communicate to the Executive Council the views of the Visitor and shall, after ascertaining, if he so thinks fit, the opinion of the Executive Council thereon, advise the University upon the action to be taken thereon.

(4) The Executive Council shall report to the Chancellor for communication to the Visitor such action, if any, as it is proposed to take or has been taken upon the results of such inspection or inquiry.

(5) Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may think fit, and the Executive Council shall comply with such directions.

Officers of the University.

Officers of the University.

8. The following shall be the officers of the University:—

(*i*) The Chancellor,

(*ii*) The Vice-Chancellor,

(*iii*) The Treasurer,

(*iv*) The Provosts,

(*v*) The Registrar,

(*vi*) The Deans of the Faculties, and

(*vii*) Such other officers as may be declared by the Statutes to be officers of the University.

The Chancellor.

9. (1) The Chancellor shall be the Governor of Bengal. He shall by virtue of his office be the head of the University and the President of the Court, and shall when present preside at meetings of the Court and at any Convocation of the University.

(2) The Chancellor shall have such powers as may be conferred on him by this Act or the Statutes.

(3) Every proposal for the conferment of an honorary degree shall be subject to the confirmation of the Chancellor.

(4) The Chancellor shall, where committees of selection for Professorships and Readerships are constituted in British India, appoint in the manner prescribed by the the Statutes one or more members of every such committee.

The Vice-Chancellor

10. (1) The Vice-Chancellor shall be appointed by the Chancellor after consideration of the recommedations of the Executive Council, and shall hold office for such term and subject to such conditions as may be prescribed by the Statutes.

(2) Where any temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, the Excecutive Council shall forthwith report the same to the Chancellor, who shall make such arrangements for carrying on the office of the Vice-Chancellor as he may think fit.

Powers and duties of the Vice-Chancellor.

11. (1) The Vice-Chancellor shall be a wholetime officer of the University. He shall be the principal executive and academic officer of the University, and shall, in the absence of the Chancellor, preside at meetings of the Court and at any Convocation of the University. He shall be an *ex-officio* member and Chairman of the Executive Council and of the Academic Council, and shall be entitled to be

present and to speak at any meeting of any authority or other body of the University, but shall not be entitled to vote thereat, unless he is a member of the authority or body concerned.

(2) It shall be the duty of the Vice-Chancellor to see that this Act, the Statutes and the Ordinances are faithfully observed, and he shall have all powers necessary for this purpose.

(3) The Vice-Chancellor shall have power to convene meetings of the Court, the Executive Council and the Academic Council.

(4) In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, the Vice-Chancellor shall take such action as he deems necessary, and shall within seven days thereafter report his action to the officer, authority or other body who or which in the ordinary course would have dealt with the matter.

(5) The Vice-Chancellor shall give effect to the orders of the Executive Council regarding the appointment, dismissal and suspension of the officers and teachers of the University, and shall exercise general control over the members of the University. He shall be responsible for the discipline of the University in accordance with this Act, the Statutes and the Ordinances.

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes and the Ordinances.

The Treasurer.

12. (1) The Treasurer shall be appointed by the Chancellor upon such conditions and for such period, and shall receive such remuneration (if any) from the funds of the University, as the Chancellor shall deem fit.

(2) Where any temporary vacancy in the office of the Treasurer occurs by reason of leave, illness or other cause, the Executive Council shall forthwith report the same to the Chancellor, who shall make such arrangements for carrying on the office of the Treasurer as he may think fit.

(3) The Treasurer shall exercise general supervision over the funds of the University, and shall advise in regard to its financial policy.

(4) He shall be an *ex-officio* member of the Executive Council, and shall, subject to the control of the Executive Council, manage the property and investments of the University. He shall be responsible for the presentation of the annual estimates and statement of accounts.

(5) Subject to the powers of the Executive Council, he shall be responsible for seeing that all monies are expended on the purpose for which they are granted or allotted.

(6) All contracts shall be signed by the Treasurer on behalf of the University.

(7) He shall exercise such other powers as may be prescribed by the Statutes and the Ordinances.

The Registrar.

13. The Registrar shall act as Secretary of the Court and the Executive Council. He shall maintain a register of registered graduates in accordance with the Statutes, and shall exercise such other powers as may be prescribed by the Statutes and the Ordinances.

Other officers.

14. The powers of officers of the University other than the Chancellor, the Vice-Chancellor, the Treasurer and the Registrar, shall be prescribed by the Statutes and the Ordinances.

Authorities of the University.

Authorities of the University.

15. The following shall be the authorities of University :—

I. The Court,

II. The Executive Council,

III. The Academic Council,

IV. The Faculties, and

V. Such other authorities as may be declared by the Statutes to be authorities of the University.

16. (1) The Court shall consist of the following persons, namely :— The Court.

Class I.—Ex-officio members.

(*i*) The Chancellor,
(*ii*) The Vice-Chancellor,
(*iii*) The Treasurer,
(*iv*) The Registrar,
(*v*) The Provosts and Wardens,
(*vi*) The Professors and Readers, and
(*vii*) such other *ex-officio* members as may be prescribed by the Statutes

Class II.—Other members.

(*viii*) Graduates of the University elected by the registered graduates from among their own body,
(*ix*) five Lecturers elected by the teachers of the University,
(*x*) persons appointed by the Chancellor,
(*xi*) persons appointed by the Chief-Commissioner of Assam, whose number shall be determined by the Chancellor,
(*xii*) ten persons appointed by associations or other bodies approved in this behalf by the Chancellor, and
(*xiii*) persons (if any) appointed by the Chancellor to be life-members on the ground that they have rendered great services to education or have made substantial donations to the University.

(2) The number of members to be elected or appointed under clauses (*viii*) and (*x*) and the tenure of office of members to be elected or appointed under clauses (*viii*), (*x*), (*xi*) and (*xii*) of sub-section (1) shall be prescribed by the Statutes, and the manner of voting for the election of members to be elected under clauses (*viii*) and (*ix*) of sub-section (1) shall be prescribed by the Ordinances.

17. (1) The Court shall, on a date to be fixed by the Vice-Chancellor, meet once a year at a Meetings of the Court.

meeting to be called the annual meeting of the Court

(2) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than thirty members of the Court, convene a special meeting of the Court.

Powers and duties of the Court

18 Subject to the provisions of this Act, the Court shall exercise the following powers and perform the following duties, namely :—

(*a*) of making Statutes, and of amending or repealing the same,

(*b*) of considering and cancelling Ordinances, and

(*c*) of considering and passing resolutions on the annual report, the annual accounts and the financial estimates,

and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes.

The Executive Council.

19. The Executive Council shall be the executive body of the University, and its constitution and the terms of office of its members, other than *ex-officio* members, shall be prescribed by the Statutes.

Powers and duties of the Executive Council

20. The Executive Council—

(*a*) shall hold, control and administer the property and funds of the University, and for these purposes shall appoint from among its own members a Finance Committee to advise it on matters of finance. The Treasurer shall be Chairman of the Finance Committee, and at least one member of the Committee shall be a member elected to the Executive Council by the Court ;

(*b*) shall direct the form, custody and use of the Common Seal of the University ;

(*c*) shall, subject to the powers conferred by this Act on the Vice-Chancellor, regulate and determine all matters concerning the University in accordance with

this Act, the Statutes and the Ordinances:

Provided that no action shall be taken by the Executive Council in respect of the fees paid to examiners and the emoluments of teachers without consulting the Academic Council;

(*d*) shall lay before the Local Government annually a full statement of all the requests received by it for financial assistance from any institution associated with the University, together with its views thereon;

(*e*) shall administer any funds placed at the disposal of the University for specific purposes;

(*f*) save as otherwise provided by this Act or the Statutes, shall appoint the officers (other than the Chancellor, the Vice-Chancellor and the Treasurer), teachers, clerical staff and servants of the University, and shall define their duties and the conditions of their service, and shall provide for the filling of temporary vacancies in their posts;

(*g*) shall have power to accept transfers of any movable or immovable property on behalf of the University;

(*h*) shall publish the results of the University examinations;

(*i*) shall exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act or the Statutes; and

(*j*) shall exercise all other powers of the University not otherwise provided for by this Act or the Statutes.

The Academic Council.

21. The Academic Council shall be the academic body of the University, and shall, subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation, and be responsible for the maintenance of

standards of instruction, education and examination within the University, and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes. It shall have the right to advise the Executive Council on all academic matters. The constitution of the Academic Council and the term of office of its members, other than *ex-officio* members, shall be prescribed by the Statutes

The Faculties.

22. (1) The University shall include the Faculties of Arts, Science, Law, Medicine and Agriculture, and such other Faculties (whether formed by the sub-division or combination of an existing Faculty or Faculties, or by the creation of a new Faculty or otherwise) as may be prescribed by the Statutes. Each Faculty shall, subject to the control of the Academic Council, have charge of the teaching and the courses of study and the research work in such subjects as may be assigned to such Faculty by the Ordinances.

(2) The constitution and powers of the Faculties shall be prescribed by the Statutes

(3) There shall be a Dean of each Faculty, who shall be elected in the manner laid down in sub-section (6); and shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to the Faculty.

(4) Each Faculty shall comprise such Departments of teaching as may be prescribed by the Ordinances. The head of every such Department shall be the Professor of the Department or, if there is no Professor, the Reader. If there is more than one Professor or more than one Reader of a Department, as the case may be, the Vice-Chancellor shall appoint such Professor or Reader to be head of the Department as he thinks fit The head of the Deparment shall be responsible to the Dean for the organisation of the teaching in that Department

(5) The Ordinances shall provide for Departments of Oriental Studies (including Departments of Islamic and Sanskritic Studies) in the Faculty

of Arts, in which the same degrees shall be conferred as in the other Departments of that faculty.

(6) The Dean of a Faculty shall be elected by the Faculty from among the heads of Departments of the Faculty. The Dean shall receive in respect of his duties as Dean such additional remuneration (if any) as shall be fixed by the Executive Council, and shall hold office as Dean for such term as may be prescribed by the Statutes.

Other authorities of the University.

23. The constitution, powers and duties of such other authorities as may be declared by the Statutes to be authorities of the University shall be provided for in the manner prescribed by the Statutes.

University Boards.

University Boards.

24. The University shall include a Residence, Health and Discipline Board and such other Boards as may be prescribed by the Statutes.

Constitution, etc. of Boards to be prescribed by Ordinances.

25. The constitution, powers and duties of the Residence, Health and Discipline Board and of all other Boards of the University shall be prescribed by the Ordinances.

Statutes, Ordinances, and Regulations.

Statutes.

26. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely :—

(*a*) the conferment of honorary degrees;

(*b*) the institution of Fellowships, Scholarships, Exhibitions and Prizes;

(*c*) the term of office and conditions of service of the Vice-Chancellor;

(*d*) the designations and powers of he officers of the University;

(*e*) the constitution, powers and duties of the Court, the Executive Council, the Academic Council and the Faculties;

(*f*) the institution and maintenance of Halls and the management of Hostels;

(*g*) the mode of appointment of the Professors and Readers of the University;

(*h*) the constitution of a pension or provident fund for the benefit of the officers, teachers, clerical staff and servants of the University;

(*i*) the maintenance of a register of registered graduates; and

(*j*) all matters which by this Act are to be or may be prescribed by the Statutes

Statutes how made.

27. (1) The first Statutes shall be those set out in the Schedule.

(2) The Statutes may be amended, repealed or added to by Statutes made by the Court in the manner hereinafter appearing.

(3) The Executive Council may propose to the Court the draft of any Statute to be passed by the Court. Such draft shall be considered by the Court at its next meeting. The Court may approve such draft and pass the Statute, or may reject it or return it to the Executive Council for re-consideration, either in whole or in part, together with any amendments which the Court may suggest.

(4) Where any Statute has been passed or a draft of a Statute has been rejected by the Court, it shall be submitted to the Chancellor, who may refer the Statute or draft back to the Court for further consideration or, in the case of a Statute passed by the Court, assent thereto or withhold his assent. A Statute passed by the Court shall have no validity until it has been assented to by the Chancellor.

(5) The Executive Council shall not propose the draft of any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion upon the proposal. Any opinion so expressed shall be in writing and shall

be considered by the Court, and shall be submitted to the Chancellor.

(6) Notwithstanding anything contained in this section, no Statute shall be made affecting the proportion or method of Muhammadan representation on the Court, the Executive Council or the Academic Council, save with the previous sanction of the Governor-General in Council.

Ordinances.

28. Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

(*a*) the courses of study to be laid down for all degrees and diplomas of the University;

(*aa*) the manner in which the lecturing work in the laboratories or workshops and other teaching referred to in sub-section (1) of section 6 shall be conducted;

(*aaa*) the conditions in accordance with which the tutorial instruction referred to in sub-section (4) of section 6 shall be given;

(*b*) the conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the University, and shall be eligible for degrees and diplomas;

(*c*) the admission of students to the University;

(*d*) the conditions of residence of the students of the University, the levying of fees for residence in Halls, and the licensing of Hostels;

(*e*) the fees to be charged for courses of study in the University and for admission to the examinations, degrees, and diplomas of the University;

(*f*) the giving of religious instruction;

(*g*) the formation of Departments of teaching in the Faculties;

(*h*) the constitution, powers and duties of the Boards of the University;

(*i*) the conduct of examinations; and

(*j*) all matters which by this Act or the Statutes are to be or may be provided for by the Ordinances.

Ordinances how made.

29. (1) Save as otherwise provided in this section, Ordinances shall be made by the Executive Council:

Provided that no Ordinance shall be made—

(*a*) affecting the admission of students, or prescribing examinations to be recognised as equivalent to the University examinations or the further qualifications mentioned in sub section (2) of section 34 for admission to the degree courses of the University, unless a draft of the same has been proposed by the Academic Council, or

(*b*) affecting the conduct or standard of examinations or any course of study, except in accordance with a proposal of the Faculty or Faculties concerned, and unless a draft of such Ordinance has been proposed by the Academic Council, or

(*c*) affecting the conditions of residence of students, except after consultation with the Residence, Health and Discipline Board.

(2) The Executive Council shall not have power to amend any draft proposed by the Academic Council under sub-section (1), but may reject it or return it to the Academic Council for re-consideration, either in whole or in part,

together with any amendments which the Executive Council may suggest.

(3) All Ordinances made by the Executive Council shall be submitted, as soon as may be, to the Chancellor and the Court, and shall be considered by the Court at its next meeting. The Court shall have power, by a resolution passed by a majority of not less than two-thirds of the members voting, to cancel any Ordinance made by the Executive Council, and such Ordinance shall, from the date of such resolution, be void.

(4) The Chancellor may, at any time after any Ordinance has been considered by the Court signify to the Executive Council his disallowance, of suce Ordinance, and, from the date of receipt by the Executive Council of intimation of such disallowance, such Ordinance shall become void.

(5) The Chancellor may direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power of disallowance. An order of suspension under this sub-section shall cease to have effect on the expiration of one month from the date of such order, or on the expiration of fifteen days from the date of consideration of the Ordinance by the Court, whichever period expires later.

(6) Where the Executive Council has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may appeal to the Chancellor, who may, if he approves the draft, make the Ordinance. An Ordinance made under this sub-section shall cease to have effect on the expiry of six months from the making thereof.

Regulations.

30. (1) The authorities and the Boards of the University may make Regulations consistent with this Act, the Statutes, and the Ordinances—

(*a*) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;

(*b*) providing for all matters which by this Act, the Statutes or the Ordinances are to be prescribed by Regulations; and

(*c*) providing for all other matters solely concerning such authorities and Boards and not provided for by this Act, the Statutes and the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings, and for the keeping of a record of the proceedings of meetings.

(3) The Executive Council may direct the amendment, in such manner as it may specify, of any Regulation made under this section or the annulment of any Regulation made under sub-section (1) :

Provided that any authority or Board of the University which is dissatisfied with any such direction may appeal to the Chancellor, whose decision in the matter shall be final.

Residence, Halls and Hostels.

Residence.

31. Every student of the University shall reside in a Hall or Hostel, or under such conditions as may be prescribed by the Statutes and the Ordinances.

Halls.

32. The Halls of the University shall be—

(*a*) the Dacca Hall,
(*b*) the Salimullah Muslim Hall,
(*c*) the Jagannath Hall, and
(*d*) such other Halls as may be prescribed by the Statutes.

Hostels.

33. (1) The Hostels shall be such as may hereafter be approved and licensed by the Executive Council on such general or special conditions as may be prescribed by the Ordinances.

(2) The Wardens and superintending staff of Hostels shall be appointed in the manner prescribed by the Statutes.

(3) The conditions of residence in Hostels shall be prescribed by the Ordinances, and every

Hostel shall be subject to inspection by any member of the Residence, Health and Discipline Board authorised in this behalf by the Board and by any officer of the University authorised in this behalf by the Executive Council.

(4) The Executive Council shall have power to suspend or withdraw the license of any Hostel which is not conducted in accordance with the conditions prescribed by the Ordinances.

Admission and Examinations.

Admission to University courses.

34. (1) Admission of students to the University shall be made by an admission committee (including at least one Provost and one Warden) appointed for that purpose by the Academic Council.

(2) Students shall not be eligible for admission to a course of study for a degree unless they have passed the Intermediate Examination of an Indian University incorporated by any law for the time being in force, or an examination recognised in accordance with the provisions of this section as equivalent thereto, and possess such further qualifications as may be prescribed by the Ordinances.

(3) The conditions under which students may be admitted to the diploma courses of the University shall be prescribed by the Ordinances.

(4) The University shall not, save with the previous sanction of the Governor-General in Council, recognise (for the purposes of admission to a course of study for a degree), as equivalent to its own degrees, any degree conferred by any other University, or, as equivalent to the Intermediate Examinatien of an Indian University, any examination conducted by any other authority.

Examinations.

35. (1) All arrangements for the conduct of examinations shall be made, and all examiners shall be appointed by the Academic Council in such manner as may be prescribed by this Act and the Ordinances.

(2) If during the course of an examination any examiner is for any cause incapable of acting as such, the Vice-Chancellor shall appoint an examiner to fill the vacancy.

(3) At least one examiner who is not a member of the University shall be appointed for each subject included in a Department of teaching and forming part of the course which is required for a University degree.

(4) The Academic Council shall appoint examination committees, consisting of members of its own body or of other persons or of both, as it thinks fit, to moderate examination questions, to prepare the results of the examinations and to report such results to the Executive Council for publication.

Annual Report and Accounts.

Annual report.

36. The annual report of the University shall be prepared under the direction of the Executive Council, and shall be submitted to the Court on or before such date as may be prescribed by the Statutes, and shall be considered by the Court at its annual meeting. The Court may pass resolutions thereon and communicate the same to the Executive Council which shall take such action thereon as it thinks fit.

Annual accounts.

37. (1) The annual accounts and balance-sheet of the University shall be prepared under the direction of the Executive Council, and shall be submitted to the Local Government for the purposes of audit.

(2) The accounts when audited shall be published by the Executive Council in the Calcutta Gazette, and copies thereof shall, together with copies of the audit report, if any, be submitted to the Court, to the Local Government and to the Governor-General in Council. The Executive Council shall also submit to the Court, on or before such date as may be prescribed by the Statutes, a statement of the financil estimates for the ensuing year.

(3) The annual accounts and the financial estimates shall be considered by the Court at its annual meeting, and the Court may pass resolutions thereon and communicate the same to the Executive Council which shall take such action thereon as it thinks fit.

Supplementary Provisions.

Removal of names of registered graduates.

38. The Chancellor shall, with the concurrence of not less than two-thirds of the members of the Executive Council for the time being in India, have power to remove the name of any person from the register of registered graduates.

Disputes as to constitution of University authorities and bodies.

39. If any question arises whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Chancellor, whose decision thereon shall be final.

Appeals to Chancellor.

40. (1) An appeal may be made by petition to the Chancellor against the order of any officer or authority of the University affecting any class of persons in the University. The Chancellor shall send a copy of any such petition to the officer or authority concerned, and shall give such officer or authority an opportunity to show cause why the appeal should not be entertained.

(2) The Chancellor may reject any such appeal or may, if he thinks fit, appoint a commission of persons, not being officers of the University or members of any authority thereof, to inquire into the matter and report to him thereon. On receipt of the commission's report, the Chancellor shall send a copy thereof to the Executive Council. The Executive Council shall take such report into consideration and shall, within three months of the receipt thereof, pass a resolution thereon which shall be communicated to the Chancellor.

(3) A commission appointed under sub-section (2) may require any officer or authority of the

University to furnish it with any papers or information which are, in the opinion of the commission, relevant to the matter under inquiry, and such officer or authority shall be bound to comply with such requisition.

Constitution of committees.

41. Where any authority of the University is given power by this Act or the Statutes to appoint committees, such committees shall, unless otherwise provided, consist of members of the authority concerned and of such other persons (if any) as the authority in each case may think fit.

Filling of casual vacancies.

42. All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled as soon as conveniently may be by the person or body who appointed, elected or co-opted the member whose place has become vacant, and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

Proceedings of University authorities and bodies not invalidated by vacancies.

43. No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

Conditions of service.

44. (1) Every salaried officer and teacher of the University shall be appointed on a written contract. The contract shall be lodged with the Registrar of the University, and a copy thereof shall be furnished to the officer or teacher concerned.

(2) Any member of the public services in India whom it is proposed to appoint to a post in the University shall, subject to the approval of such appointment by the Government, have the option—

(*i*) of having his services lent to the University for a specified period and remaining liable to recall to Government service at the discretion of the Government at the end of that period ; or

(*ii*) of resigning Government service on entering the service of the University.

45. *Any dispute arising out of a contract between the University and any officer or teacher of the University shall, on the request of the officer or teacher concerned, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned, and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final and no suit shall lie in any Civil Court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section, within the meaning of the Indian Arbitration Act, 1899, and all the provisions of that Act, with the exception of section 2 thereof, shall apply accordingly.

Tribunal of Arbitration

IX of 1899.

46. *(1) The University shall constitute for the benefit of its officers, teachers, clerical staff and servants such pension and provident fund as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

Pension or provident fund.

(2) Where such a pension or provident fund has been so constituted, the Governor-General in Council may, notwithstanding anything contained in the Provident Funds Act, 1897, by notification in the Gazette of India, declare that the provisions of the said Act shall apply to such fund as if it were a Government Provident Fund.

IX of 1897.

47. Save as otherwise provided in this Act, the powers of the University conferred by or under this Act shall not extend beyond a radius of five miles from the Convocation Hall of the University. Notwithstanding anything in any other law for the time being in force, no educational institution beyond that limit shall be associated with or admitted to any privileges of the University, and no educational institution within that limit shall be associated in any way with or be admitted to any privileges of any other University incorporated by law in British India, and any such privileges

Territorial exercise or powers.

*Amended by the Repealing and Amending Act No. XXXI of 1920.

granted by any such other University to any educational institution within that limit prior to the commencement of this Act shall be deemed to be withdrawn on the commencement of this Act:

Provided that nothing in this section shall apply to any agricultural or other technical institution established or maintained in connection with the University with the sanction of the Governor-General in Council:

Provided, further, that it shall be lawful for any Faculty, other than the Faculties of Arts and Science, to assemble at Calcutta whenever, in the opinion of the Vice-Chancellor, such a course is necessary.

*47A. The Local Government shall, for the purposes of this Act, contribute annually to the University a sum of five and a half lakhs of rupees.

Transitory Provisions.

Completion of courses for students at Dacca Colleges.

48. Notwithstanding anything contained in this Act or the Ordinances, any student of the Dacca College, the Dacca Law College, the Dacca Training College, or the Jagannath College at Dacca who immediately prior to the commencement of this Act, was studying for any examination of the Calcutta University higher than the Intermediate Examination shall be permitted to complete his course in preparation therefor, and the University shall provide for such student's instruction and examinations in accordance with the Prospectus of Studies of the Calcutta University.

Appointment of first Vice-Chancellor.

49. The first Vice-Chancellor may be appointed at any time after the passing of this Act. Such appointment shall, notwithstanding anything contained in sub-section (1) of section 10, be made

* Vide Dacca University (Amendment) Act, 1925, Bengal Act IV of 1925.

by the Governor-General in Council for such term and on such conditions as he thinks fit.

First appointments of University staff.

50. (1) At any time after the passing of this Act and until such time as the authorities of the University shall have been duly constituted—

(*a*) the Treasurer may be appointed by the Governor of Bengal;

(*b*) any other officers of the University may be appointed by the Vice-Chancellor with the previous sanction of the Governor of Bengal;

(*c*) teachers of the University shall be appointed by the Governor of Bengal after considering the recommendations of an Advisory Committee consisting of the Vice-Chancellor, the Director of Public Instruction, Bengal, and such other person or persons, if any, as the Governor of Bengal thinks fit to associate with them.

(2) Any appointment made under sub-section (1) shall be for such period and on such conditions as the appointing authority thinks fit:

Provided that no such appointment shall be made until financial provision has been made therefor by the Local Government or otherwise.

Extraordinary powers of the Vice-Chancellor.

51. At any time after the passing of this Act, the Vice-Chancellor may, with the previous approval of the Chancellor and subject to the provision of funds by the Local Government or otherwise, take such action, consistent so far as may be with the provisions of this Act and the Statutes, as he may think necessary for the purpose of bringing the University into being, and for that purpose may exercise any power which by this Act or the Statutes is to be conferred on any officer or authority of the University.

THE SCHEDULE.

THE FIRST STATUTES OF THE UNIVERSITY.

[*See section 27 (1).*]

Definitions.

1. In these Statutes unless there is anything repugnant in the subject or context,—

(*a*) "the Act" means the Dacca University Act, 1920, and "Section," means a section of the Act; and

(*b*) "officers," "authorities," "Professors," "Readers," "Lecturers," "teachers," "clerical staff," "servants," and "registered graduates" mean, respectively, officers, authorities, Professors, Readers, Lecturers, teachers, clerical staff, servants and registered graduates of the University.

Constitution of the Court.

2. (1) In addition to the officers mentioned in sub-section (1) of section 16, the following persons shall be *ex-officio* members of the Court, namely :—

(*i*) the members of the Bengal Executive Council and the Ministers of the Governor of Bengal ;

(*ii*) the Vice-Chancellor of the University of Calcutta ;

(*iii*) the Commissioner, the Collector and the District and Sessions Judge of Dacca ;

(*iv*) the Director of Public Instruction in Bengal or the Secretary (if any) to the Local Government in the Department of Education, and the Director of Public Instruction in Assam ;

(*v*) the Director of Agriculture for Bengal ;

(*vi*) the Director of Industries for Bengal ;

(*vii*) the Civil Surgeon of Dacca ;

(*viii*) the Superintending Engineer, Eastern Circle, Bengal ;

(*ix*) the Assistant Director of Public Instruction for Muhammadan Education in Bengal ;

(*x*) the Chairman of the Dacca Municipality and of the Dacca District Board ;

(*xi*) the Inspector of Schools of the Dacca Division ;

(*xii*) the Inspectress of Girls' Schools for the Dacca Circle ;

(*xiii*) the Proctor of the University ;

(*xiv*) the Librarian of the University ; and

(*xv*) the Principals of the Dacca Medical School, the Dacca Madrassah, the Calcutta Madrassah, the Chittagong Madrassah, the Sylhet Madrassah, and the Eden High School, the President of the Saraswat Samaj and the Principals of all educational institutions in the Dacca Division which prepare students for admission to the degree courses of a University ;

(*xvi*) the Medical Officer for the University ;

(*xvii*) the members of the Executive Council of the University of Dacca, appointed by the Chancellor under Statute 3 (i) (vi);

(*xviii*) the representative of the Dacca University in the Bengal Legislative Council ;

(*xix*) the Principal of the Islamia College, Calcutta.

(2) The number of graduates to be elected as members of the Court by the registered graduates from among their own body shall be thirty, of whom fifteen shall be Muhammadan graduates elected by the Muhammadan registered graduates, and fifteen shall be non-Muhammadan graduates elected by the non-Muhammadan registered graduates.

(3) The number of persons to be appointed by the Chancellor under clause (*x*) of sub-section (1) of section 16 shall be forty :

Provided that the Chancellor shall, in making such appointments, secure that, as far as possible, fifty per cent. of the non-European members of the Court shall be Muhammadans.

(4) Save as otherwise provided, members of the Court other than *ex-officio* members shall hold office for a period of three years.

*2-A. The Court shall have the power to pass any resolution making such recommendations as it thinks fit relating to the University Act, Statutes, Ordinances and Regulations and to the management of the University generally.

2-B. The Court may appoint a Committee consisting of any number of its members for the consideration of University business, or it may, with the consent of the Chairman, resolve itself into a Committee, for the consideration of business duly brought before it.

Constitution of the Executive Council.

3. (1) The members of the Executive Council, in addition to the Vice-Chancellor and the Treasurer, shall be—

Class I.—Ex-officio members.

(*i*) The Commissioner of the Dacca Division;
(*ii*) the Deans of the Faculties;
~~(*iii*) the Provosts of the Dacca, the Muhammadan, and the Jagannath Halls.~~

Class II.—Other members.

†(*iv*) Three non-Muhammadan members of the Court elected by the non-Muhammadan members thereof at its annual meeting;

†(*v*) Three Muhammadan members of the Court elected by the Muhammadan members thereof at its annual meeting; and

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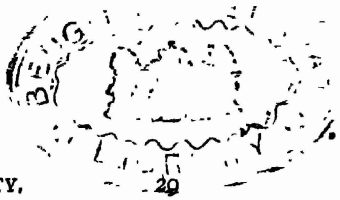
*This Statute was made subsequently to the passing of the Dacca University Act.

†These sub-sections appear as amended subsequently to the passing of the Dacca University Act.



(vi) four persons, of whom at least two shall be teachers, appointed by the Chancellor: Provided that, so long as one-half of the non-European members of the Executive Council, as constituted under this sub-clause but excluding the Vice-Chancellor and the Treasurer, are not Muhammadans, any person so appointed shall be a Muhammadan.

(2) The Executive Council as constituted under sub-clause (1) shall co-opt as member one Warden.

(3) Members other than *Ex-officio* members shall hold office for a period of three years; and thereafter, till their successors have been elected or appointed, as the case may be:

Provided that members elected by any body of persons from among their own number shall hold office so long only within the said period as they continue to be members of the body which elected them.

4. Subject to the provisions of the Act, the Executive Council shall have the following powers, namely:—

Powers of the Executive Ceuncil.

(*a*) to institute, at its discretion, such Professorships, Readerships, Lectureships, or other teaching posts as may be proposed by the Academic Council;

(*b*) to abolish or suspend, after report from the Academic Council thereon, any Professorship, Readership, Lectureship, or other teaching post;

(*c*) to appoint, in accordance with the Statutes, teachers, officers, clerical staff and servants;

(*d*) to delegate, subject to such conditions as may be prescribed by Regulations made by the Executive Council, its power to appoint teachers, officers,

clerical staff and servants to such person or authority as the Executive Council may determine ;

(*e*) to manage and regulate the finances, accounts, investments, property and all administrative affairs whatsoever of the University, and for that purpose, to appoint such agents as it may think fit ;

(*f*) to accept bequests, donations and transfers of property to the University :

Provided that all such bequests, donations and transfers shall be reported to the Court at its next meeting ;

(*g*) to provide the buildings, premises, furniture, apparatus, equipment and other means needed for carrying on the work of the University ;

(*h*) after report from the Finance Committee to enter into, vary, carry out and cancel contracts on behalf of the University ; and

(*i*) to invest any monies belonging to the University, including any unapplied income, in any of the securities described in section 20 of the Indian Trusts Act, 1882, or in the purchase of immovable property in India, with the like power of varying such investments ; or to place on fixed deposit in any bank approved in this behalf by the Local Government any portion of such monies not required for immediate expenditure ;

II of 1882.

(*j*) to appoint Committees for such purposes as it deems fit provided, however, that the reports of such committees shall be considered by the Executive Council before action is taken in connection therewith unless the Executive Council in any particular case otherwise direct.

5. (1) The members of the Academic Council, in addition to the Vice-Chancellor, shall be— The Academic Council.

Class I.—Ex-officio members.

(i) The Deans of the Faculties;

(ii) the Librarian of the University;

(iii) the Professors and the Heads of Departments; and

(iv) the Provosts.

Class II.—Other members.

(v) One Warden nominated by the Vice-Chancellor; and

(vi) persons, if any, not exceeding three in number and not being teachers, appointed by the Chancellor on account of their possessing expert knowledge in such subjects of study as may be selected by the Academic Council as constituted under heads *(i)* to *(v)*.

(2) The Academic Council as constituted under sub-clause (1) shall co-opt as members three Readers and two Lecturers.

(3) The Academic Council as constituted under sub-clauses (1) and (2) shall co-opt as members teachers not exceeding one-tenth of its number as so constituted:

Provided that so long as one-fourth of the total members, including teachers co-opted under this sub-clause, are not Muhammadans, any teacher so co-opted shall be a Muhammadan.

(4) Members other than *ex-officio* members shall hold office for a period of three years:

Provided that Readers, Lecturers or teachers co-opted as such shall hold office so long only within the said period as they continue to be Readers, Lecturers or teachers, respectively.

* This sub-section appears as amended subsequently to the passing of the Dacca University Act.

Powers of the Academic Council.

6. The Academic Council shall have the following powers, namely :—

(*a*) to make proposals to the Executive Council for the institution of Professorships, Reader-ships, Lectureships or other teaching posts, and in regard to the duties and emoluments thereof;

(*b*) to make Regulations for and to award in accordance with such Regulations Fellowships, Scholarships, Exhibitions, bursaries, medals and other rewards;

(*c*) to appoint examiners after report from the Faculties concerned;

(*d*) to control and manage the University Library or Libraries, to frame regulations regarding their use, and to appoint a Library Committee under the general control of the Academic Council to manage the affairs of the Library;

(*e*) to formulate, modify or revise, subject to the control of the Executive Council, schemes for the constitution or re-constitution of Faculties and for the assignment of subjects to such Faculties;

(*f*) to assign teachers to the Faculties;

(g) to promote research within the University, and to require reports on such research from the persons employed thereon; and

(h) to appoint Committees for such purposes as it deems fit provided, however, that the reports of such Committees shall be considered by the Academic Council before action is taken in connection therewith unless the Academic Council in any particular case otherwise direct.

The Faculties.

7. (1) Each Faculty shall consist of—

*(*i*) the Professors and Heads of the Departments comprised in the Faculty;

*This sub-section appears as amended subsequently to the passing of the Dacca University Act.

(*ii*) Such teachers of subjects assigned to the Faculty as may be appointed to the Faculty by the Academic Council ;

(*iii*) such teachers of subjects not assigned to the Faculty but having, in the opinion of the Academic Council, an important bearing on those subjects as may be appointed to the Faculty by the Academic Council ; and

(*iv*) such other persons as may be appointed to the Faculty by the Academic Council on account of their possessing expert knowledge in a subject or subjects assigned to the Faculty.

(2) The total number of members of each Faculty shall not exceed in the case of the Faculties of Arts and Science thirty, and in the case of any other Faculty fifteen, except with the sanction of the Chancellor given on the request of the Academic Council.

*(3) The period of office of members appointed to any Faculty by the Academic Council shall be determined as follows :—

Constitution of Faculties

Members of Faculties appointed by the Academic Council to hold office as from any date between 31st December, 1924 and 31st December, 1927, shall hold office until the latter date or until their previous resignation or decease. For further appointments after December, 1927, the same rule shall apply *mutatis mutandis*, that is to say, appointments shall be made for three years terminating with the 31st December of the 3rd year of the appointment of the new Faculty and except as otherwise provided below the term of appointment of any member in the interval shall terminate on the 31st December of the 3rd year from the appointment of the new Faculty. The Academic Council may make appointments of Faculty members not more than three months before such appointments shall take effect :

* These sub-sections appear as amended subsequently the passing of the Dacca University Act.

Provided that teachers appointed as such shall hold office only so long within the aforesaid periods as they continue to be teachers of the University and are not enjoying leave for a period exceeding three months:

Further provided that if a teacher be granted leave by the University for a period exceeding three months, he may be replaced by another teacher during such period of leave if the Academic Council so determine.

Powers of the Faculties.

8. Subject to the provisions of the Act, each Faculty shall have the following powers, namely:—

(*a*) to constitute Committees of Courses and Studies;

(*b*) to recommend to the Academic Council, after consulting the Committees of Courses and Studies, the names of examiners in subjects assigned to the Faculty.

Board of Co-ordination.

9. There shall be a Board of Co-ordination composed of the Vice Chancellor, who shall be Chairman thereof, the Deans of the Faculties and the Registrar, to organise the teaching of the University, and in particular to co-ordinate the work and time-tables of the various Faculties, and to assign lecture-rooms, laboratories, and other rooms to the Faculties.

The Dean.

10. (1) The Dean of each Faculty shall be the executive officer of the Faculty, and shall preside at its meetings. He shall hold office for three years.

(2) He shall issue the lecture lists of the University in the Departments comprised in the Faculty, and shall be responsible for the conduct of teaching therein.

(3) He shall have the right to be present and to speak at any meeting of any committee of the Faculty, but not to vote unless he is a member of the committee.

Hostels.

11. (1) The appointment of the Warden and the superintending staff of a Hostel shall be subject to the approval of the Executive Council.

(2) Every student not residing in a Hall or Hostel shall be attached to a Hall or Hostel for tutorial help and disciplinary supervision, and for such other purposes as may be prescribed by the Ordinances

Withdrawal of degrees and diplomas.

12. The Court may, on the recommendation of the Executive Council, by a resolution passed with the concurrence of not less than two-thirds of the members voting, withdraw any degree or diploma conferred by the University.

Honorary degrees.

13. (1) All proposals for the conferment of honorary degrees shall be made by the Academic Council to the Executive Council, and shall require the assent of the Court before submission to the Chancellor for confirmation :

Provided that in cases of urgency the Chancellor may act on the recommendation of the Executive Council only.

(2) Any honorary degree conferred by the University may, with the previous approval of the Court and the sanction of the Chancellor, be withdrawn by the Executive Council.

Registered graduates.

*14. The following persons shall, on payment of such fees as may be prescribed by the Statutes, be entitled to have their names enrolled in the register of registered graduates and to enjoy all the privileges of registration, namely :—

(*a*) for a period of five years from the commencement of the Act all graduates of three years' standing or upwards of any other Indian University incorporated by any law for the time being in force, who are not for the time being registered as graduates in any such other University, situated in Bengal, and who—

(*i*) have studied at the Dacca College, the Jagannath College at Dacca or

* This Statute appears as amended subsequently to the passing of the Dacca University Act.

the Dacca Law College for at least two years, or at the Dacca Training College for at least one year, and ordinarily resident in the Dacca or Chittagong Division of the Bengal Presidency ; or

(*ii*) have graduated at any time from any of the said Colleges, and apply to the University to be granted *ad eundem* degrees of the University ; and

(*b*) for a period of seven years from the commencement of the Act all Muhammadan graduates of three years' standing or upwards of any Indian University incorporated by any law for the time being in force, who are not for the time being registered as graduates of any such other University situated in Bengal, and who ordinarily reside in the Dacca or Chittagong Division of the Bengal Presidency ; and apply to the University to be granted *ad eundem* degrees of the University ;

(*c*) all graduates of the University of three years' standing and upwards ; and

(*d*) for a period of six years from the commencement of the Act all graduates of three years' standing or upwards of any University in the United kingdom who are not for the time being registered as graduates of any University in Bengal and who ordinarily reside in Dacca or Chittagong Division of Bengal Presidency.

*14A. (1) Persons qualified in this behalf under section 14 of the Statutes will be enrolled as registered graduates under the terms of the said section on payment of a fee of Rs. 5 only, with effect from the date of such payment and shall continue to be so enrolled until the end of the academic year in respect of which the fee is paid.

*This Statute was made subsequently to the passing of the Dacca University Act.

(2) Notwithstanding anything contained in section 14 of the Statutes a person enrolled as a registered graduate under the last foregoing sub-section shall be entitled to continue to be enrolled as a registered graduate from year to year until his death on payment of an annual fee of Rs 5 only :

Provided that when a graduate has paid the fee for ten continuous years, including the first year of registration, he shall be entitled to be enrolled there-after as a registered graduate until his death or resignation without the payment of any further fee :

Provided also, that a registered graduate may, at any time after being registered as aforesaid, compound for the annual payment of fees by paying the sum of Rs 20 only, and from the date of such payment shall continue to be a registered graduate until his death or resignation without payment of any further fee.

(3) Registered graduates who are liable to pay the annual fee shall pay such fee by a date to be prescribed by Ordinance.

(4) If a registered graduate who is liable to pay the annual fee fails to pay the fee due for any academic year by a date prescribed by the Ordinance, he shall not be entitled to exercise any rights or enjoy any privileges of a registered graduate during the academic year in question ; provided that he shall be re-admitted in any subsequent academic year as a registered graduate if he pay all arrears of fees up to the date of re-admission on or before the date prescribed by Ordinance for the payment of the fee for that session

(5) The rights and privileges of a registered graduate shall terminate,

(*a*) when his University degree qualifying him for registration under section 14 of the Statutes is forfeited, cancelled or withdrawn, with effect from the date of such forfeiture, cancellation or withdrawal ;

(*b*) in the case of graduates referred to in clause (a) sub-clause (*i*) and clause (b) of section 14 of the Statutes, when he ceases to reside ordinarily in the Dacca or Chittagong Division, with effect from the last day of the academic year in which he ceases so to reside ;

(*c*) when the name of the registered graduate is removed under section 38 of the Act, with effect from the date of the order of the Chancellor removing his name.

Officers. 15 There shall be the following officers, namely :—

(*i*) a proctor for the maintenance of the general discipline of the University, to whom the Vice-Chancellor may delegate such of his disciplinary powers as he may think fit ;

(*ii*) a Librarian for the University Library ; and

(*iii*) a Medical officer for the University.

Committees of selection in India 16. (1) ~~Subject to the provisions of clause (*c*) of sub-section (1) of section 50 and of clause 17,~~* appointments to Professorships and Readerships shall be made on the nomination of committees of selection constituted for the purposes as follows, namely :—

(*i*) the Vice-Chancellor ;

(*ii*) One member of the Executive Council selected by the Executive Council ;

(*iii*) two members of the Academic Council selected by the Academic Council on the ground of their special knowledge of, or interest in, the subject or subjects with which the Professor or Reader, as the case may be, will be concerned ;

(*iv*) an officer of the Local Government appointed by the Local Government and

and

* Clause 17 has been cancelled.

(*v*) three persons (two of whom shall not be officers or teachers) appointed by the Chancellor :

Provided that, should a committee so constituted not include both a Hindu and a Muhammadan member, the Chancellor shall nominate an additional Hindu or Muhammadan member, or both, as the case may be.

(2) Committees of selection appointed under sub-clause (1) shall report to the Executive Council which shall, if it accepts the nomination of the Committee, make the appointment to the post accordingly. If the Executive Council does not accept the nomination of the Committee, it shall refer the case to the Chancellor, who shall make such appointment as he thinks fit.

17. *Repealed.*

Appointment of Lecturers and other teachers

18. Appointments to teaching posts other than Professorships and Readerships shall, subject to the provisions of the Act and the Statutes, be made in the manner prescribed by the Ordinances.

Appointment of Vice-Chancellor.

19 The appointment of the Vice-Chancellor, except as determined under the transitory provisions contained in section 49 of the Act, shall be subject to the following conditions :—

(1) The Vice-Chancellor shall receive a salary of Rs 2,500 (Rupees Two thousand and five hundred) per mensem and shall be provided with a free house.

(2) The Vice-Chancellor shall be appointed for a term of five years and the appointment shall be renewable for a like term or terms or for such shorter term or terms as may be determined by the Executive Council with the consent of the Chancellor. The first appointment shall date from the day on which the Vice-Chancellor joins the University.

(3) The Vice-Chancellor shall be required to become a member of the Provident Fund established by the University on the same terms as other officers of the University unless he be a Government officer in active service

(4) On joining his first appointment in the University the Vice-Chancellor shall receive a single first class fare by railway or steamer or both from the place at which he held his previous appointment or from the place from which he actually joins, whichever shall be less ; and on the termination of his appointment he shall receive a single first class fare by railway or steamer or both to his ordinary place of residence. Further, the Vice-Chancellor shall receive travelling allowances for other journeys on University business on the following scale :—

(*i*) For journeys by railway or steamer or both : one and a half first class fares.

(*ii*) For journeys by road or boat : eight annas a mile.

(*iii*) For days of halt on duty for which no portion of the railway fare or steamer fare or mileage is drawn, a daily allowance of Rs. 10 (Rupees ten), provided that the Executive Council shall have the power to sanction a special allowance not provided for under this sub-clause for a day of which the duration of halt is not less than 12 hours.

(5) The vacations and leave of the Vice-Chancellor shall be determined as follows :—

(*i*) The Vice-Chancellor shall enjoy in each academic year (*a*) a vacation of two months taken during the Long Vacation, (*b*) the Puja Vacation and (*c*) all University holidays

(*ii*) If he is re-appointed as from the termination of his first five years' term of office, the Vice-Chancellor shall be regarded as having earned in respect of that period one month's leave on full pay for each completed year of service ; and he shall further be credited as from the expiry of his first term of office with one month's leave for each further comple-

ted year of service, such leave to be taken at any time in accordance with the terms of paragraph (iii) below, provided that no leave shall be admissible as leave preparatory to retirement

(*iii*) Leave other than casual or medical leave shall be granted to the Vice-Chancellor by the Chancellor after report from the Executive Council and shall be either prefixable or affixable to any vacation or holiday permissible to the Vice-Chancellor ; provided, however, that if any vacation which would be permissible to the Vice-Chancellor if he were on active duty, falls between two periods of leave, when either (1) the commencement of the first period of leave takes place not more than seven days before the vacation or (2) the end of the second period of leave takes place not more than seven days after the vacation, the Executive Council may, in special circumstances, grant full pay in respect of such vacation.

(*iv*) The Chancellor shall be empowered on the recommendation of the Executive Council to grant leave to the Vice-Chancellor on full pay in case of urgent private necessity, at any time during his tenure of office for a period not exceeding one month for every completed year of service and such leave shall be deducted from any leave to which he may be entitled under paragraph (ii) above

(*v*) The Vice-Chancellor shall be entitled to casual leave not exceeding ten days in any one year, to be granted by the Executive Council

(*vi*) The medical leave of the Vice-Chancellor shall be granted in the following way :—

(*a*) Medical leave shall be granted to the Vice-Chancellor by the Executive Council on a certificate from a medical officer approved by the Executive Council.

(*b*) The Vice-Chancellor shall be entitled, at any time during the tenure of his office, to medical leave on full pay of a duration not exceeding one month for each completed year of service and such leave, if taken, shall be debited to any leave to which he may be entitled under paragraph (ii) above ; when medical leave on full pay has been exhausted any further medical leave shall be granted by the Executive Council for a period not exceeding six months on half pay and for a further period of three months on quarter pay. Medical leave on half pay or quarter pay shall be counted as special medical leave and the total amount of such special medical leave shall not exceed six calendar months in all during the first five years of office of the Vice-Chancellor or twelve months in all during the whole of his tenure of office if his appointment is renewed after the aforesaid period of five years. No medical leave shall be admissible as leave preparatory to retirement.

(*c*) The medical leave of the Vice-Chancellor shall be prefixable or affixable to a vacation or to the Christmas or other holidays or other leave.

(*vii*) The Vice-Chancellor shall not receive full pay in respect of any continuous period of leave or of leave combined with vacation exceeding eight months in all.

(6) Any question as to the interpretation of this Statute which may arise on any question relating to leave or travelling allowances of the Vice-Chancellor which is not covered by the text of the Statute shall be referred to the Chancellor after report from the Executive Council and the decision of the Chancellor thereon shall be final.

Provident Fund.

Conditions of membership.

20. (1) Persons who have been appointed to a permanent post in the service of the University of which the pay is not less than Rs. 25 per mensem other than persons holding pensionable posts under Government and menials, shall subscribe every month to the University Provident Fund except when on leave [see sub-clause (8)] without allowance; provided that an officer who has not served in a permanent post for a period of five years shall not receive anything beyond his own deposits in the fund with interest accrued thereon.

The present employees of the University who are under this rule entitled to become members of the Provident Fund but have not joined it, shall have the option of joining the Fund provided that once this option has been exercised it shall be irrevocable.

Rate of Subscription and Contribution.

(2) A sum equal to 8⅓ per cent. of the salary shall be deducted from the salary of each subscriber every month and paid into the Provident Fund, and the University shall contribute an equal amount in respect of each subscriber in each month, provided that the contribution by the University shall not be payable in respect of any period in respect of which the subscriber has not paid his subscription.

In calculating the monthly salaries on which deductions are to be made and contributions are

Note to clause 1.

The University, in appointing a person, would be entitled to hold the appointment permanent even if the initial contract be for two or more years only but made with every intention of being permanently renewed if his service be satisfactory.

to be paid any fraction of a rupee of such monthly salary shall be omitted.

For the purposes of this section of the Statute the term 'Salary' shall be held to mean monthly salary and regular monthly allowances by way of remuneration for service, including leave allowances but not including travelling allowances or payments of lump sums made in respect of any particular piece of work.

Mode of investment.

(3) A University Provident Fund account shall be opened at the Dacca Branch of the Imperial Bank of India to which the total deductions from the salaries of the University staff, as well as the corresponding contributions from the University under sub-clause (2) above shall be credited at the beginning of each month. Any cash balance of the fund in excess of Rs 500 shall be invested by the Treasurer before the end of each month in such securities, approved by the Finance Committee of the Executive Council, as are approved under section 20 of the Indian Trusts Act (of 1882). All investments and securities shall be held jointly by the Vice-Chancellor and the Treasurer.

Rate of Interest

(4) The rate of interest shall initially be 5 per cent., but shall be liable to variation from time to time as the Executive Council may decide.

(5) Interest under sub-clause (4) will be allowed for each calendar month upon the minimum balance of the subscriber's account between the close of the 4th day and the end of the month. It will be added to the principal at the end of the University financial year (June 30) except when the account is to be finally closed.

Yearly advice to subscribers.

(6) Each subscriber shall receive from the University Treasurer not later than October 15th of each year a statement of his account showing the opening balance, the deposits and withdrawals during the previous financial year ending June 30th and the closing balance after the addition of interest allowed under sub-clause (5). Subscribers are required to satisfy themselves as to the correctness of these statements and unless errors in them

are brought to the notice of the Treasurer within three months from the date of their receipt any sums not included in the account will lapse to the University.

(7) In the event of a subscriber resigning his employment after less than five years' service or being dismissed, the contribution by the University on his behalf as well as the interest that has accrued on the same shall lapse into the general University Fund. Provision in case of resignation or dismissal.

(8) A subscriber to the University Provident Fund who is on leave with allowances must continue to subscribe during leave unless exempted from doing so by the Executive Council under such conditions as may be prescribed by them in each particular case. Provision for payment of subscription during leave.

(9) Temporary advances or loans may be granted to subscribers from the sums to their credit in the Provident Fund under conditions to be prescribed by Ordinances Loans.

(10) The deposit and contribution, with interest thereon, at the credit of a subscriber shall be payable in full and shall only be finally withdrawn :— Withdrawal

(*a*) On the depositor ceasing to be a servant of the University ; or,

(*b*) On his death.

Provided that in both cases sanction of the Executive Council shall first be obtained by the Treasurer before any payment is made

(11) Each subscriber shall, as soon after he joins the Fund as possible, be called upon by the Treasurer to furnish a "Form of Declaration" showing how he wishes the amount of his accumulation to be disposed of on his death. (*Vide* specimen form appended) Disposal on subscriber's death

(12) For the purposes of the Statute only the following survivors of a subscriber shall be held to constitute his family :—

(*i*) Widow or widows ;

(*ii*) Children ;

(*iii*) Widow, or widows, and children of a deceased son.

An adopted child shall be considered to be a child within the meaning of this rule when, under the personal law of the subscriber, adoption is legally recognised as conferring the status of a natural child, but in this case only. If doubts arise in an individual case, the Treasurer shall refer the matter to the Executive Council and their decision shall be final for the purpose of this Statute. A declaration in favour of an adopted child is made at the subscriber's risk and can be challenged at any time.

(13) A subscriber may in his Declaration provide for the distribution of a portion only of the amount. Thus the form of Declaration may mention a specific sum or a specific proportion of the total amount The disposal of the balance will be governed by sub-clause (15) *(b)* or (d) below, according as the subscriber leaves a family or not.

Any Form of Declaration submitted by a subscriber is revocable at any time. A fresh Declaration shall be operative only on being received by the Treasurer On a subscriber's marriage or re-marriage any Declaration already submitted by him will forthwith become null and void and, unless a revised Form of Declaration is received, the amount of his accumulations will be dealt with under sub-clause (15) *(b)* or *(d)*, as the case may be

If minors are nominated in a Form of Declaration the person or persons to whom sums intended for their benefit are to be paid should be stated in the Form of Declaration.

(14) In the event of the subscriber having a family as defined in sub-clause (12) he is not

permitted in his Form of Declaration to leave the amount of his accumulations or any part of it to any one outside his family. Where a form of Declaration purports to leave money otherwise than to a member or members of a subscriber's family, the Treasurer shall call upon the subscriber to state whether he has a family, and if it is found that he has one, the Form of Declaration shall not be accepted. A subscriber who has a family has absolute discretion regarding the distribution of the amount at his credit at the time of his death among the members of that family. He may exclude any one or more of them in favour of another or others of them, and the manner in which the distribution is to be made among them is also within his absolute discretion.

(15) On a subscriber's death before retirement, the amount shall be disposed of as follows:—

(*a*) It, or such portion of it as may be specified in an accepted Form of Declaration, will be divided among all or any members of his family in accordance with the terms of the Declaratian. If the Declaration relates to a portion only of the amount, the balance will be distributed in the manner described in paragraph (*b*) below.

If the Declaration does not state the person or persons to whom the sum intended for the benefit of a minor is to be paid, the sum due shall be paid to the minor's legal guardian to be used for the minor's benefit, or, failing a legal guardian, to such person or persons as the Treasurer may consider to be the proper person or persons to receive it on the minor's behalf.

(*b*) Where a subscriber leaves a family, but no form of Declaration in favour of any member or members of the family has been received from him, the amount shall be distributed among

his family, except that a son, and sons of a deceased son, who have attained legal majority, and married daughters of a deceased son, whose husbands are alive shall be excluded from participation.

The division among the persons entitled shall be in equal shares, except that the widow or widows and child or children of any deceased son shall take equally between them only the share which that son would have taken had he survived the subscriber.

Any sum due to a minor shall be paid to the minor's legal guardian to be used for the minor's benefit, or failing a legal guardian, to such person or persons as the Treasurer may consider to be the proper person or persons to receive it on the minor's behalf.

(*c*) If there be no party to receive the amount under paragraph (*a*) or (*b*) it will be divided among or paid to such person or persons (whether related to the subscriber or not) as may be specified in an accepted form of Declaration. If the form of Declaration relates to a portion only of the amount, the balance shall be distributed in the manner described in paragraph (*d*) below.

(*d*) If there be no party entitled to receive under paragraphs (*a*), (*b*), or (*c*) above, the amount will be paid to the subscriber's legal representatative or such other person or persons as may be determined by a Civil Court, competent to pass orders in this respect; provided that if the sum remaining at the credit of the subscriber does not exceed Rs. 500, it may be paid to such person or persons

as the Treasurer may consider to be the proper person or persons to receive it.

NOTE—1. A husband may make a written application for the exclusion of his wife from participation under paragraph (*b*) if she has been judicially separated from him. In the absence of such an application the widow will retain her rights under paragraph (*b*).

NOTE—2. When a person named in a form of Declaration dies before the subscriber, the Declaration will, in the absence of a direction to the contrary in the form of Declaration, become null and void in respect of that person, but that person only and his or her share will be distributed in the manner described in sub-clause (15) (*b*) or (*d*) as the case may be.

NOTE—3. The above two notes apply *mutatis mutandis* to married women who are subscribers to the Provident Fund.

(16) If the Treasurer receive notice that a Will has been left by a deceased subscriber, which purports to dispose of his accumulations in the Fund or any part of them, he shall, before making any payment, refer the matter to the Executive Council for their decision.

(17) The University will not be bound by, or recognise, any assignment or encumbrance executed or attempted to be created which affects the disposal of the accumulations of a subscriber who dies before retirement.

(18) The Ledger and other accounts of the Provident Fund shall be kept by the University Treasurer in a form approved by the Executive Council. Accounts.

(19) The Provident Fund Accounts shall be audited annually by a Government Auditor together with the other accounts of the University.

(20) The securities of the Provident Fund shall be assessed by the Treasurer at the market value ruling on the last day of each University financial year and after such assessment has been certified by the Government auditor, the University shall, if necessary, subscribe from its general funds such an amount as is required to make the amount available for distribution equivalent to the liabilities to the subscribers. If the Government auditor certifies that the amount standing to the

credit of the Fund is in excess of the liabilities, an amount equal to the amount to the excess balance shall be transferred from the Provident Fund to the general funds of the University.

(21) Subject to the consent of the Executive Council and the subscriber concerned in each case, this Statute shall apply to the amounts accumulated in the names of the members of the Staff, from the foundation of the University up to the date when this Statute shall come or shall have come into force, in the Account called the Provident Fund Account and the amounts paid into that account shall be considered as paid in accordance with this Statute.

(22) All questions of interpretation of this Statute shall be decided by the Executive Council, whose decision shall be final.

Annual Report.

21. The Annual Report of the University for each session prepared under the direction of the Executive Council shall be despatched to all members of the Court on or before the 31st August of the following session

Annual Accounts and the Financial Estimates.

22. The Annual Accounts of the University for the preceding session and the Financial Estimate for the ensuing year, prepared under the direction of the Executive Council, shall be despatched to all the members of the Court on or before the 31st August of each year.

DACCA UNIVERSITY PROVIDENT FUND.

Depositor No._____

FORM OF DECLARATION.

From* **Subscriber.**

I hereby declare that in the event of my death the amount at my credit in the University Provident Fund shall be distributed among the persons mentioned below in the manner shown against their names.

The amount due to a nominee who is a minor at the time of my death should be paid to the person whose name appears in column 5.

1	2	3	4	5	6
Name and address of the nominee or nominees.	Relationship with the subscriber	Whether major or minor, if minor state his age	Amount or share of deposit	Name and address of the person to whom payment is to be made on behalf of the minor.	Sex and parentage of person mentioned in Col. 5.

* Here state married or unmarried.

Two witnesses' signatures (1) _____

(2) _____

Station _____

Signature of subscriber _____

Date _____